

Docket Clerk must be served upon each party by the persons filing them.

(c) Every document filed with the Hearing Docket Clerk and required to be served upon all parties must be accompanied by a certificate of service signed by or on behalf of the party or person making the service, stating that service has been made. Certificates of service should be in substantially the following form:

I hereby certify that I have this day served the foregoing document(s) upon the following parties (or designated representatives) in this proceeding at the address indicated by (specify the method):

(1) [name/address] \_\_\_\_\_  
 (2) [name/address] \_\_\_\_\_

Dated at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

[Signature] \_\_\_\_\_  
 For \_\_\_\_\_  
 Capacity. \_\_\_\_\_

(d) Service may be made by mail or personal delivery. Other methods of service, such as facsimile transmission or other electronic means, may be used, other than for service of the complaint and answer, at the discretion of the Administrative Law Judge. The Hearing Docket Clerk may place limitations on the times of and circumstances for service by facsimile transmission or other electronic means.

(e) Unless otherwise ordered by the Administrative Law Judge, all documents filed in accordance with § 20.302 must be served upon counsel and representatives or, if not represented, the persons themselves. Service upon counsel or representative will constitute service upon the person to be served.

(f) Service must be made at the address of the counsel or representative, or, if not represented, at the last known address of the residence or principal place of business of the person to be served.

(g) If service is made by personal delivery, delivery is complete when the document is handed to the person to be served or delivered to the person's office during business hours or, if the person to be served has no office, is delivered to the person's residence and deposited in a conspicuous location. If service is by mail, facsimile transmission, or other electronic means,

service is complete upon deposit in the mail or completion of the electronic transmission.

(h) A document that was properly addressed, was sent in accordance with this subpart, and returned, showing that it was not claimed, or was refused, is deemed to have been served in accordance with this subpart. The service will be considered valid as of the date and the time that the document was deposited with a contract or express messenger, the document was mailed, or personal delivery of the document was refused.

#### **§ 20.305 Amendment or supplementation of filed documents.**

(a) A party or interested person shall amend or supplement a previously filed pleading or document if the person learns of a material change that may affect the outcome of the class II civil penalty proceeding. However, no amendment will be allowed that would broaden the issues without an opportunity for the parties to reply to the amendment and to allow preparation for the broadened issues.

(b) The Administrative Law Judge may approve other amendments or supplements to filed documents.

(c) Parties shall notify the Hearing Docket Clerk, Administrative Law Judge, and all other parties or their representatives of any change of address.

#### **§ 20.306 Computation of time.**

(a) In computing any period of time prescribed in this part, the day on which the designated period begins to run is not included. The last day of the period so computed is included unless it is a Saturday, Sunday, or Federal holiday. When the period of time prescribed is 7 days or less, intermediate Saturdays, Sundays, and Federal holidays are excluded in the computation.

(b) If service or filing is by domestic mail, 3 days will be added to the designated period for response.

(c) If service or filing is by mail to a foreign country, 20 days will be added to the designated period for response.

(d) An Administrative Law Judge, for cause shown, may at any time in his or her discretion—